

**PHYSICIAN ASSISTANT COMMITTEE
MEETING MINUTES
August 27, 2021**

ROLL CALL

The meeting of the Physician Assistant Committee was called to order at 2:07 p.m. by Tamara Dolphens, PA-C, Chairperson in Conference Room 5B, of the Nebraska State Office Building, located at 301 Centennial Mall South, Lincoln, Nebraska. The meeting was held In-Person. The following members answered the initial roll call:

Tamara Dolphens, PA-C, Chairperson
Kathleen Tonkin, PA-C, Vice-Chairperson
Merle Henkenius, Secretary

Absent: John Massey, MD
Corrigan McBride, MD – (joined the meeting @ 2:25 p.m.)

A quorum was present, and the meeting convened. Present from the Department was Jesse Cushman, Program Manager and Jan Gadeken-Harris, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General; Kathleen Kruger, Investigator with the Investigation Unit.

Dolphens announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Committee members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on August 13, 2021.

ADOPTION OF AGENDA

Tonkin moved, seconded by Henkenius, to adopt the agenda as presented. Voting aye: Dolphens, Henkenius, and Tonkin. Voting nay: None. Abstain: None. Absent: McBride. Non-Voting Member: Massey. Motion carried.

APPROVAL OF MINUTES

Henkenius moved, seconded by Tonkin, to approve the meeting minutes of July 30, 2021 as written. Voting aye: Dolphens, Henkenius, and Tonkin. Voting nay: None. Abstain: None. Absent: McBride. Non-Voting Member: Massey. Motion carried.

2021 LEGISLATION UPDATES

The PA Committee members had no comments at this time.

REGULATIONS UPDATE

Jesse Cushman noted that Title 172 Chapter 90 Licensure and Supervision of Physician Assistants, draft Regulation revisions are with the AG's office for review.

INVESTIGATIONAL REPORTS – CLOSED SESSION

Tonkin moved, seconded by Henkenius to go into closed session at 2:10 p.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Dolphens, Henkenius, and Tonkin. Voting nay: None. Abstain: None. Absent: McBride. Non-Voting Member: Massey. Motion carried.

Tonkin moved, seconded by Henkenius, to open the session at 2:20 p.m. Voting aye: Dolphens, Henkenius, and Tonkin. Voting nay: None. Abstain: None. Absent: McBride. Non-Voting Member: Massey. Motion carried.

APPLICATION(S) REVIEW – OPEN SESSION

SCHIPPER, DANIEL, PA - application for Initial Physician Assistant License: Henkenius moved, seconded by Tonkin to recommend approval of licensing to practice Medicine and Surgery as a Physician Assistant. Voting aye: Dolphens, Henkenius, and Tonkin. Voting nay: None. Abstain: None. Absent: McBride. Non-Voting Member: Massey. Motion carried.

DISCUSSION(S):

A. Potential name change from Physician Assistant to Physician Associate

The American Academy of Physician Assistants (AAPA) voted to change the profession's title from Physician Assistant to Physician Associate during the May 24, 2021 meeting. All states will need to vote on the change individually. At this time the Nebraska Academy of Physician Assistants has no plans to introduce Legislation change.

To read more about the AAPA change go to:

<https://www.aapa.org/news-central/2021/08/aapa-provides-update-on-pa-title-change-and-brand-development/>

B. Legal changes to the PA profession

Recently there have been several Nebraska Statute and Regulation changes. The below list are some of the proposed implementations.

Was	Is
Definitions were in statute and regulation	Definition is only in statute, definitions in regulation define terms in regulation
Podiatry not approved supervisor	Podiatry is now approved supervisor
No definition on exam scoring method	Angoff method defined
Scope of practice agreement	Now a collaborative practice agreement that includes podiatrists
Unprofessional conduct section that did not align with 172 NAC 88	Unprofessional conduct now aligns with 172 ANC 88 by reference.
Vague language around supervision limits	Clear process for accepting and processing waivers

NRS 38-2008 education was changed from being approved to now being accredited by the accrediting body	
Replaced the scope of practice agreement with a collaborative agreement	Collaborative agreements now cover physician groups
Collaborative agreement now includes Podiatrist	
Removed requirements for less than 2 years' experience.	Supervision now done through collaborative effort
Added to the Board of Medicine a physician with experience in practice with physician assistants	*NOTE* several current board members currently meet this criteria
Expands the collaborative agreement to cover	Requires at least one supervising physician per

physician groups and includes medical services that the PA has training and experience to perform	employer, or specialty practice area
PA ability to perform tasks are based on education, training, and experience, and what is laid out in the collaborative agreement	
Prescribing for drugs and devices is based on the collaborative agreement	
Does not require same geographic location	Not really new but better defined. All requirements for less than two years' practice have been removed
Under a collaborative agreement a PA can "plan and initiate a therapeutic regimen, which includes ordering and prescribing nonpharmacological interventions, including, but not limited to, durable medical equipment, nutrition, blood and blood products, and diagnostic support services, such as home health care, hospice, physical therapy, and occupational therapy	
Makes the BOM member on the committee a nonvoting member.	

For full disclosure refer to the Medicine and Surgery Practice Act:

<https://dhhs.ne.gov/licensure/Documents/MedSurgPerfusionGenCouns.pdf>

Title 172 NAC 90 Licensure and Supervision of Physician Assistants draft Regulations are still in the promulgation phases. Current Regulations: [https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health and Human Services System/Title-172/Chapter-090.pdf](https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health%20and%20Human%20Services%20System/Title-172/Chapter-090.pdf)

C. COVID-19

On August 26, 2021, Nebraska Governor Pete Ricketts issued Executive Order 21-12 (expiring December 31, 2021), which provides waivers of specific statutes and applicable regulations due to a hospital capacity emergency. You can view the Executive Order here:

<http://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/21-12.pdf>

Directed Health Measures: <https://dhhs.ne.gov/Pages/COVID-19-Directed-Health-Measures.aspx>

Renewal updates as of 8/26/2021:

Renewals for license types that were deferred per Executive Order 20-10 must be renewed by 10/31/2021. To see the list of license types go to:

<https://dhhs.ne.gov/licensure/Documents/RenewalUpdate062821.pdf>

NEW: On August 26, 2021, Nebraska Governor Pete Ricketts issued Executive Order 21-12. One of the provisions of Executive Order 21-12 suspends the Continuing Competency/Continuing Education requirements for renewal for the above listed license types.

NOTE: If the license has already been renewed, this deferral and extension does not apply.

COMMITTEE MEETING SCHEDULE

The next Physician Assistant Committee meeting is scheduled October 15, 2021.

The schedule is listed on the DHHS website:

<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business Tonkin moved, seconded by Henkenius, to adjourn the meeting at 3:06 p.m. Voting aye: Dolphens, Henkenius, McBride and Tonkin. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

Respectfully submitted,

signature available upon request

Merle Henkenius, Secretary
Physician Assistant Committee